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106TH CONGRESS
1ST SESSION

H. R. 1637

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1999

Mr. MARTINEZ introduced the following bill; which was referred to the Committee on Education and the Workforce

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A BILL

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Older Americans Act Amendments of 1999".

(b) REFERENCES.—Except where otherwise specifically provided, references in this Act shall be considered to be made to the Older Americans Act of 1965, or to a section or other provision thereof.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; references in Act.

TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

PART A—ADMINISTRATION ON AGING

Sec. 101. National Eldercare Locator Service.
Sec. 102. Repeal of executed requirements.
Sec. 103. Development of performance outcome measures.
Sec. 104. Federal agency consultation.
Sec. 105. Acceptance of gifts for certain purposes.
Sec. 106. Authorization of appropriations.

PART B—STATE AND COMMUNITY PROGRAMS ON AGING

Sec. 111. Clarification concerning services to non-elderly.
Sec. 112. Reorganization and streamlining of area plan requirements.
Sec. 113. Coordination of services for individuals with disabilities under area plans.
Sec. 114. Eligibility of older Native Americans for services under area plans.
Sec. 115. Reorganization and streamlining of state plan requirements.
Sec. 116. Health care information systems.
Sec. 117. State option for cost sharing.
Sec. 118. State option concerning consumer-directed services.
Sec. 119. State-area agency service innovation development projects.
Sec. 120. Transfer of funds between programs.
Sec. 121. Availability of disaster relief funds to tribal organizations.
Sec. 122. Nutrition services incentive program.
Sec. 123. Waivers of certain requirements for State programs.
Sec. 124. Consolidation of authorities for supportive services and senior centers.
Sec. 125. Consolidation of authorities for nutrition services.
Sec. 126. National family caregiver support program.
Sec. 127. Authorization of appropriations.

PART C—STATE AND LOCAL INNOVATIONS AND PROGRAMS OF NATIONAL SIGNIFICANCE

Sec. 141. Revision of title IV.
Sec. 142. Authorization of appropriations.

PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

Sec. 151. Purposes of projects.
Sec. 152. Program authorized.

Sec. 153. Administration.
Sec. 154. Equitable distribution of assistance.
Sec. 155. Authorization of appropriations.
Sec. 156. Workforce investment activities.
Sec. 157. Additional provisions.

PART E—GRANTS FOR NATIVE AMERICANS

Sec. 161. Limit of one grant per Native American organization.
Sec. 162. Expenditures for nutrition services.
Sec. 163. Authorization of appropriations.

PART F—VULNERABLE ELDER RIGHTS PROTECTION

Sec. 171. Consolidated authorization of appropriations and related amendments.
Sec. 172. Life course planning program.
Sec. 173. Demonstration authority extended to life course planning.
Sec. 174. Amendment of inconsistent provisions concerning assistance program for insurance and public benefits.

PART G—DEFINITIONS

Sec. 181. Definitions.

PART H—EFFECTIVE DATE

Sec. 191. Effective date.

TITLE II—WHITE HOUSE CONFERENCE ON AGING

Sec. 201. White House Conference authorized.
Sec. 202. Conference administration.
Sec. 203. Policy Committee; related committees.
Sec. 204. Report of the Conference.
Sec. 205. Definitions.
Sec. 206. Authorization of appropriations.

TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

PART A—ADMINISTRATION ON AGING

SEC. 101. NATIONAL ELDERCARE LOCATOR SERVICE.

Section 202(a)(24) (42 U.S.C. 3012(a)(24)) is amended to read as follows:

"(24) develop and operate, either directly or through contracts, grants, or cooperative agreements, a National Eldercare Locator Serv-

ice, providing nationwide toll-free information and assistance services to identify community resources for older individuals;".

SEC. 102. REPEAL OF EXECUTED REQUIREMENTS.

(a) STUDY ON TARGETING OF FUNDS.—Section 202(a) (42 U.S.C. 3012(a)) is amended—

(1) by striking paragraph (27); and

(2) by redesignating paragraphs (28) through (30) as paragraphs (27) through (29), respectively.

(b) EVALUATION OF NUTRITION SERVICES.—Section 206 (42 U.S.C. 3017) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsection (h) as subsection (g).

SEC. 103. DEVELOPMENT OF PERFORMANCE OUTCOME MEASURES.

Section 202 (42 U.S.C. 3012) is amended by adding at the end the following new subsection:

"(f) PERFORMANCE OUTCOME MEASURES.—

"(1) IN GENERAL.—The Assistant Secretary, in accordance with the process described in paragraph (2), shall develop in collaboration with a representative group of State and area agencies on aging, and publish by December 31, 2000, a set of performance outcome measures to be used for planning, man-

aging, and evaluating activities performed and services provided under the Act.

"(2) DEVELOPMENT PROCEDURE.—The process for developing the performance outcome measures described in paragraph (1) shall include—

"(A) a review of such measures currently in use by State and area agencies on aging;

"(B) development of a set of such measures that provide information about the major activities performed and services provided under this Act;

"(C) pilot testing of the proposed set of such measures, including an identification of resource, infrastructure, and data collection issues at the State and local levels; and

"(D) evaluation of the pilot test and recommendations for modification of the proposed measures.".

SEC. 104. FEDERAL AGENCY CONSULTATION.

Section 203(b) (42 U.S.C. 3013(b)) is amended—

(1) by striking "and" at the end of paragraph (17);

(2) by striking the period at the end of paragraph (18) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(19) title I of the Workforce Investment Act of 1998.".

SEC. 105. ACCEPTANCE OF GIFTS FOR CERTAIN PURPOSES.

Section 215 (42 U.S.C. 3020f) is amended—

(1) in the caption, by striking "APPROPRIATIONS" and inserting "APPROPRIATIONS; GIFTS."; and

(2) by adding at the end the following new subsection:

"(c) GIFTS.—

"(1) AUTHORITY TO ACCEPT GIFTS.—The Assistant Secretary may accept, on behalf of the United States, gifts (in cash or in kind, including voluntary and uncompensated services), which shall be available until expended for the purposes specified in paragraph (2). Gifts of cash shall be available in addition to amounts appropriated to carry out this Act.

"(2) USE OF GIFTS.—Gifts accepted pursuant to paragraph (1) may be used either directly, or for grants to or contracts with public or non-profit private entities, for the following activities under this title:

"(A) The design and implementation of demonstrations of innovative ideas and best practices in programs and services for older individuals.

"(B) The planning and conduct of conferences for the purpose of exchange among concerned individuals and public and private entities and organizations of information relating to programs under this Act and other programs and services for older individuals.

"(C) The development, publication, and dissemination of informational materials (in print, visual, electronic, or other media) relating to the programs and services under this Act and other matters of concern to older individuals.

"(3) ETHICS GUIDELINES.—The Assistant Secretary shall establish written guidelines setting forth the criteria to be used in determining whether the acceptance of gifts or donations pursuant to this paragraph would reflect unfavorably upon the ability of the Administration on Aging, or the Department of Health and Human Services, or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the

integrity or the appearance of integrity of its programs or of any official involved in those programs.".

SEC. 106. AUTHORIZATIONS OF APPROPRIATIONS.

"(a) FEDERAL COUNCIL ON THE AGING.—Section 204(g) (42 U.S.C. 3015(g)) is amended by striking all that follows "There are authorized to be appropriated" and inserting "such sums as may be necessary to carry out this section.".

"(b) ADMINISTRATION ON AGING.—Section 215 (42 U.S.C. 3020f) (as amended by section 102) is further amended—

"(1) by striking "for the Administration" and all that follows and inserting the following:

"for the Administration—

"(1) $16,830,000 for fiscal year 2000; and

"(2) such sums as may be necessary for each of the four succeeding fiscal years.";

(2) by striking subsection (b); and

(3) by redesignating subsection (c) (as added by section 102) as subsection (b).

PART B—STATE AND COMMUNITY PROGRAMS ON AGING

SEC. 111. CLARIFICATION CONCERNING SERVICES TO NON-ELDERLY.

Section 301 (42 U.S.C. 3021) is amended by adding at the end the following new subsection:

"(d) SCOPE OF SERVICES; USE OF FUNDS.—

"(1) RESTRICTED USE OF RESOURCES UNDER THE ACT.—Federal funds paid to States under this title, and cash and in-kind contributions required by section 304(d) as the non-Federal share of expenditures under this title, shall be used only for activities and services to benefit older individuals and other individuals as specifically provided in this title.

"(2) RESTRICTION INAPPLICABLE TO OTHER RESOURCES.—Neither paragraph (1) nor any other provision of this title shall be construed to prohibit State or area agencies on aging from engaging in activities or providing services to benefit individuals not described in paragraph (1) using cash or in-kind resources from sources not described in paragraph (1).

SEC. 112. REORGANIZATION AND STREAMLINING OF AREA PLAN REQUIREMENTS.

(a) AREA PLAN REQUIREMENTS.—Section 306(a) (42 U.S.C. 3026(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "Each such plan shall—" and inserting "Each such plan shall comply with the following requirements:";

(2) in paragraph (1), to read as follows:

"(1) SERVICES PROVIDED.—The plan shall provide for the furnishing, through a comprehensive and coordinated system, of services the need for which has been determined pursuant to paragraph (3), including—

"(A) supportive services (including at least the service specified in paragraph (2);

"(B) nutrition services; and

"(C) where appropriate, the establishment, maintenance, or construction of multipurpose senior centers.";

(3) in paragraph (2)—

(A) by inserting "PRIORITY SERVICES.—The plan shall" after "(2)";

(B) by striking "section 307(a)(22)" and inserting "section 307(a)(2)";

(C) by striking "and specify annually in such plan, as submitted or as amended" and inserting "and assurances that the area agency will report annually to the State agency"; and

(D) by striking the semicolon at the end and inserting a period;

(4) by striking paragraphs (3) (designation of focal points for service delivery in each community) and (4) (information and assistance services);

(5) by inserting after paragraph (2) the following new paragraph:

"(3) DETERMINATION OF NEEDS.—The plan shall provide for determining the extent of need for the services specified in paragraphs (1) and (2) in the area taking into consideration, among other things—

"(A) the numbers of older individuals residing in such area—

"(i) who have low incomes;

"(ii) who have greatest economic need (with particular attention to low-income minority individuals);

"(iii) who have greatest social need (with particular attention to low-income minority individuals); or

"(iv) who are Native Americans; and

"(B) the effectiveness of use of resources (including efforts of volunteers and voluntary organizations) in meeting such need.":

(6) by redesignating paragraph (5) as paragraph (4), and amending the paragraph—

(A) by inserting "OBJECTIVES FOR SERVICES TO OLDER INDIVIDUALS WITH GREATEST NEED.—The plan shall" after "(4)"; and

(B) by striking the semicolon at the end and inserting a period;

(7) in paragraph (6)—

(A) by inserting "POLICY DEVELOPMENT.—The plan shall—" after "(6)";

(B) by striking subparagraphs (A) (evaluations and public hearings) and (B) (technical assistance to providers);

(C) by relocating and redesignating subparagraph (D) as subparagraph (A);

(D) by relocating and redesignating subparagraph (F) as subparagraph (B);

(E) by relocating and redesignating subparagraph (M) as subparagraph (D);

(F) by striking the semicolon at the end of subparagraph (D) (as so redesignated) and inserting a period; and

(G) by striking subparagraphs (E) (arrangements with specified organizations), (G) (methods for determining priority services), (J)

(identification of protective service providers), (L) (coordination of services for Alzheimer's patients), (O) (information on higher education), (Q) (coordination with housing providers), (R) (telephone listings of area agencies), and (S) (coordination of transportation services);

(8) by striking paragraphs (7) through (10) (assurances that funds will be spent for the purposes awarded);

(9) by striking subparagraphs (I) and (K) of paragraph (6) (community-based long-term care services) and inserting after paragraph (6) the following new paragraph:

"(7) COMMUNITY-BASED LONG-TERM CARE SERVICES.—The plan shall provide that the area agency will facilitate the coordination of community-based, long-term care services designed to enable older individuals to remain in their homes, by means including—

"(A) development of case management services as a component of the long-term care services, consistent with the requirements of paragraph (8);

"(B) involvement of long-term care providers in the coordination of such services; and

"(C) increasing community awareness of and involvement in addressing the needs of residents of long-term care facilities.";

(10) by relocating and redesignating paragraph (20) as paragraph (8), and amending such paragraph by inserting "PROVISION OF CASE MANAGEMENT SERVICES.—The plan shall" after "(8)";

(11) by redesignating paragraph (11) as paragraph (9), and amending such paragraph—

(A) by inserting "MAINTENANCE OF EFFORT FOR OMBUDSMAN PROGRAM.—The plan shall" after "(9)";

(B) by striking "section 307(a)(12)" and inserting "section 307(a)(9)"; and

(C) by striking the semicolon at the end and inserting a period;

(12) by redesignating and relocating paragraph (6)(P) as paragraph (10), and amending such paragraph—

(A) by inserting "GRIEVANCE PROCEDURE.—The plan shall" after "(10)"; and

(B) by striking the semicolon and inserting a period;

(13) by striking paragraphs (6)(N), (18), and (19), and inserting after paragraph (10) the following paragraph:

"(11) SERVICES TO NATIVE AMERICANS.—The plan shall provide the following assurances concerning services to older Native Americans:

"(A) If there is a significant population of older individuals who are Native Americans in the area, the area agency will pursue activities, including outreach, to increase access of such individuals to programs and benefits under this title.

"(B) The area agency will, to the maximum extent practicable, coordinate the services it provides under this title with services provided under title VI.";

(14) by striking paragraph (12) (area option concerning volunteer services coordinator);

(15) by striking paragraphs (13) through (16) (description of and assurances concerning activities of area agency);

(16) by striking paragraph (17); and

(17) by striking paragraph (6)(H), and inserting after paragraph (11) the following new paragraph:

"(12) COORDINATION WITH PROGRAMS OF OTHER AGENCIES.—The plan shall provide that the area agency on aging will establish procedures for coordination with entities conducting other Federal or Federally assisted programs for older individuals at the local level, with particular emphasis on entities conducting programs described in section 203(b) within the area.".

(b) STATE WAIVERS.—Section 306(b) (42 U.S.C. 3026(b)) is amended—

(1) by striking paragraph (2) (procedural requirements for State agency waivers to area agencies); and

(2) by striking "(1)" after "(b)".

SEC. 113. COORDINATION OF SERVICES FOR INDIVIDUALS WITH DISABILITIES UNDER AREA PLANS.

Section 306(a) (42 U.S.C. 3026(a)) (as amended by section 112 of this Act) is further amended by inserting after paragraph (4) the following new paragraph:

"(5) COORDINATION OF SERVICES FOR INDIVIDUALS WITH DISABILITIES.—The plan shall provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and services for older individuals with disabilities, with particular attention to individuals with severe

disabilities, with agencies that develop or provide services for individuals with disabilities.".

SEC. 114. ELIGIBILITY OF OLDER INDIANS FOR SERVICES UNDER AREA PLANS.

(a) UNDER AREA PLANS.—Section 306(a)(11) (42 U.S.C. 3026(a)(11)) (as added by section 112) is amended by adding at the end the following new subparagraph:

"(C) Notwithstanding any provision of this Act restricting eligibility for services to individuals aged 60 or older, the area agency will make services under the area plan available, to the same extent as such services are available to older individuals within the service area, to older Indians eligible for services under an approved plan under title VI.".

(b) UNDER GRANTS FOR INDIANS.—Sections 602, 611, 613, and 614 (42 U.S.C. 3057a. 3057b, 3057d, and 3057e, respectively) are each amended by striking "individuals who are" each place it appears.

SEC. 115. REORGANIZATION AND STREAMLINING OF STATE PLAN REQUIREMENTS.

Section 307(a) (42 U.S.C. 3027(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

"(1) AREA PLANS.—The plan shall—

"(A) require each area agency designated under section 305(a)(2)(A) to develop and submit to the State agency for approval, in accordance with a uniform format developed by the State agency, an area plan meeting the requirements of section 306; and

"(B) be based on such area plans.";

(2) by striking paragraphs (3)(A) (evaluation of need for services), (9) (information and assistance services), and (22) (funding shares for priority services), and amending paragraph (2) to read as follows:

"(2) DETERMINATION OF SERVICE NEEDS.—The plan shall provide that the State agency will—

"(A) evaluate, using uniform procedures under section 202(a)(29), the need for supportive services (including legal assistance, information and assistance, and transportation services), nutrition services, and multipurpose senior centers within the State;

"(B) determine the extent to which existing public or private programs and resources (including volunteers and programs and services of voluntary organizations) meet such need; and

"(C) specify a minimum percentage of the funds received by each area agency for part B to be expended (unless waived by the State agency under section 306(b)) (42 U.S.C. 3026(b)) by such area agency to provide each of the categories of services specified in section 306(a)(2).";

(3) by striking paragraphs (3)(B) (maintaining rural funding), (29) and (37) (rural services and costs thereof), and (33) (intra-State funding formula), and adding after paragraph (2) the following new paragraph:

"(3) INTRA-STATE FUNDING REQUIREMENTS.—The plan shall—

"(A) include (and may not be approved unless the Assistant Secretary approves) the statement and demonstration required by paragraphs (2) and (4) of section 305(d) (concerning intra-State distribution of funds); and

"(B) with respect to services to older individuals residing in rural areas—

"(i) provide assurances that the State agency will spend for each fiscal year, under this title and titles V and VII, not

less than 105 percent of the amount so expended for fiscal year 1978;

"(ii) identify, for each fiscal year under the plan, the projected costs of providing such services (including the cost of providing access to such services); and

"(iii) describe the methods used to meet the needs for the such services in the fiscal year preceding the first year to which such plan applies.";

(4) by striking paragraph (4) (methods of administration, personnel standards);

"(5) by striking paragraph (8) (evaluations and hearings) and inserting after paragraph (3) the following paragraph:

"(4) EVALUATIONS.—The plan shall provide that the State agency will conduct periodic evaluations of, and public hearings on, activities and projects carried out in the State under this title and title VII, including evaluations of the effectiveness of outreach and provision of services to individuals with greatest economic need, greatest social need, or disabilities, with particular attention to low-income minority individuals.";

(6) by striking paragraph (43) (grievance procedures) and amending paragraph (5) (hearing for area agencies and providers) to read as follows:

"(5) "HEARINGS FOR AREA AGENCIES AND PROVIDERS; GRIEVANCE PROCEDURES.—The plan shall provide that the State agency will—

"(A) afford an opportunity for a hearing upon request, in accordance with published procedures, to any area agency submitting a plan under this title, or to any provider of (or applicant to provide) services under such a plan; and

"(B) issue guidelines applicable to grievance procedures required by section 306(a)(10).";

"(7) in paragraph (6), by inserting "REPORTS.—" after "(6)";

"(8) in paragraph (7)—

(A) by inserting "FISCAL CONTROLS.—" after "(7)"; and

"(B) by striking subparagraph (C);

(9) by redesignating paragraph (10) as paragraph (8) and amending such paragraph by inserting "RESTRICTION ON DIRECT PROVISION OF SERVICES.—" after "(8)";

(10) by striking paragraph (11) (hiring preference for older individuals and individuals trained in field of aging);

(11)(A) by redesignating paragraph (12) as paragraph (9), and amending such paragraph—

(i) by inserting "LONG-TERM CARE OMBUDSMAN PROGRAM.—after "(9)"; and

(ii) by adding before the period ", and will expend for such purpose not less than the total amount so expended by the State agency in fiscal year 1991"; and

(B) by striking paragraph (21);

(12) by redesignating paragraph (13) as paragraph (10), and amending such paragraph—

(A) by inserting "NUTRITION SERVICES.—" after "(10)";

(B) by striking subparagraphs (B) (primary consideration to congregate meals), (D) (accessibility of congregate meal site), (E) (outreach), (H) (grandfathered providers of home-delivered meals), and (M) (nonfinancial eligibility criteria); and

(C)(i) by inserting "and" at the end of subparagraph (K);

(ii) by striking "; and" at the end of subparagraph (L) and inserting a period; and

(iii) by redesignating subparagraph (C) and the remaining subparagraphs as subparagraphs (B) through (H);

(13) by striking paragraph (14) (restrictions on use of funds under the Act for acquisition, alteration, or construction of facilities);

(14)(A) by redesignating paragraph (15) as paragraph (12), and amending such paragraph—

(i) by inserting "LEGAL ASSISTANCE.—" after "(12)"; and

(ii)(I) by striking "and" at the end of subparagraph (D); and

(II) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(B)(i) by amending paragraph (18) by striking all that precedes "assign personnel" and inserting "the State will"; and

(ii) by relocating and redesignating such paragraph (18) as paragraph (12)(F);

(15) by redesignating paragraph (16) as paragraph (13), and amending such paragraph by inserting "PREVENTION OF ABUSE.—" after "(13)";

(16) by striking paragraph (17) (in-service personnel training);

(17) by striking paragraph (19) (guarantees that area agencies may give grants or contracts to providers of education and training services);

(18) by redesignating paragraph (20) as paragraph (14), and amending such paragraph by inserting "OLDER INDIVIDUALS OF LIMITED ENGLISH-SPEAKING ABILITY.—";

(19) by redesignating paragraph (23) as paragraph (15), and amending such paragraph by inserting "SPECIAL NEEDS POPULATIONS.—" after "(15)";

(20) by redesignating paragraph (24) as paragraph (16), and amending such paragraph by inserting "OUTREACH.—" after "(16)";

(21) by redesignating paragraph (25) as paragraph (17), and amending such paragraph by inserting "OLDER INDIVIDUALS WITH SEVERE DISABILITIES.—after "(17)";

(22) by redesignating paragraph (26) as paragraph (18), and amending such paragraph—

(A) by inserting "COMMUNITY-BASED SERVICES.—(A) LONG-TERM CARE SERVICES.—" after "(18)"; and

(B) by striking "section 306(a)(6)(I)" and inserting "section 306(a)(6)(D)"; (23) by relocating and redesignating paragraph (44) as paragraph (18)(B);

(24) by striking paragraph (27) (assurances concerning part D in-home services program);

(25) by striking paragraph (28) (assurances concerning part E special needs program);

(26) by redesignating paragraph (30) as paragraph (19), and amending such paragraph by inserting "TITLE VII PROGRAM.—" after "(19)";

(27) by striking paragraph (31) (State volunteer services coordinator);

(28) by redesignating paragraph (32) as paragraph (20), and amending such paragraph by inserting "TECHNICAL ASSISTANCE TO PROVIDERS.—" after "(20)";

(29)(A) by redesignating paragraph (34) as paragraph (21), and amending such paragraph by inserting "OLDER NATIVE AMERICANS.—(A)" after "(21)"; and

(B) by redesignating subparagraph (A) and (B) of paragraph (35) as clauses (i) and (ii), and redesignating and relocating such paragraph (35) as subparagraph (B) of paragraph (21);

(30) by redesignating paragraph (36) as paragraph (22), and amending such paragraph by inserting "CASE MANAGEMENT PROVIDERS.—" after "(22)";

(31) by striking paragraphs (38) and (39) (assurances concerning use of funds);

(32) by striking paragraph (40) (assurances concerning part G program for inhome caretakers);

(33) by striking paragraph (41) (efforts to coordinate services and provide multigenerational activities); and

(34) by striking paragraph (42) (coordination of transportation services);

SEC. 116. HEALTH CARE INFORMATION SYSTEMS.

Section 307(a) (42 U.S.C. 3027(a)) (as previously amended) is amended by inserting after paragraph (10) the following new paragraph:

"(11) HEALTH CARE INFORMATION, COUNSELING, ADVOCACY, AND COORDINATION.—

"(A) ASSURANCE.—The plan shall contain an assurance that the State agency will make demonstrable efforts—

"(i) to develop, arrange for, and operate a system providing any one or more of

the services specified in subparagraph (B); or

"(ii) to coordinate the provision, by another entity or entities within the State, of any one or more of such services.

"(B) SERVICES.—The services which may be provided for under subparagraph (A) include—

"(i) health care information services to assist older individuals to make informed health care choices;

"(ii) counseling of older individuals in the selection of public and private health care benefits, policies, and options;

"(iii) a health care ombudsman program to provide health care advocacy and assist vulnerable older individuals with health care choices and appeals; and

"(iv) assistance to providers of nutrition and supportive services and providers of acute and chronic health care with respect to identifying and meeting health care needs of older individuals.".

SEC. 117. STATE OPTION FOR COST SHARING.

(a) STATE PLAN REQUIREMENT.—Section 307(a) (42 U.S.C. 3027(a)) (as previously amended) is amended by adding at the end the following new paragraph:

"(23) STATE OPTION FOR COST SHARING.—If the State elects to require cost sharing by recipients of services under the State plan (or to require or permit area agencies on aging to require cost sharing by recipients of services under area plans), the plan shall—

"(A) provide that no cost sharing shall be required for—

"(i) information and assistance, outreach, or case management services;

"(ii) ombudsman or other protective services; or

"(iii) congregate or home-delivered nutrition services; and

"(B)(i) exempt from cost-sharing requirements individuals who declare that they have incomes below a low-income threshold set by the State, and

"(ii) set cost-sharing rates for individuals with incomes above such threshold on a sliding-fee scale based on income.".

(b) AREA PLAN REQUIREMENT.—Section 306(a) (42 U.S.C. 3026(a)) (as previously amended) is amended by adding at the end the following new paragraph:

"(12) provide assurances that any requirements for cost-sharing by recipients of services under the plan will be consistent with the provisions of the State plan under section 307(a)(23)".

SEC. 118. STATE OPTION CONCERNING CONSUMER-DIRECTED SERVICES.

(a) STATE PLAN AMENDMENT.—Section 307(a) (42 U.S.C. 3027(a)) (as previously amended by this Act) is further amended by adding at the end the following new paragraph:

"(24) STATE OPTION CONCERNING CONSUMER-DIRECTED SERVICES.—The plan shall specify—

"(A) whether (and if so, with respect to which supportive or nutrition services) the State elects to permit area agencies on aging—

"(i) to provide services to older individuals through direct contracts with the individuals delivering such services; or

"(ii) to provide vouchers or cash to older individuals to permit such older individuals to contract with individuals or enti-

ties for the delivery of such services (and, if so, any requirements for the setting of payment rates or amounts);

"(B) the qualifications and other requirements that must be met by individuals and entities providing services under such arrangements; and

"(C) whether (and, if so, the conditions under which) services may be provided to an older individual by a family member under such an arrangement;

"(D) how the State will monitor activities described in subparagraph (A)(ii) to ensure that vouchers or cash are used for the purposes for which they are provided; and

"(E) that the State agency will implement procedures necessary to ensure appropriate withholding and crediting of taxes and other amounts from payments to individuals and entities providing consumer-directed services, in compliance with applicable Federal and State laws.".

(b) CONFORMING AMENDMENT.—Section 210(b) (42 U.S.C. 302a(b)) is amended by inserting "(including any cash or voucher provided in accordance with section

307(a)(24)(A)(ii)" before "may be treated as income or benefits".

SEC. 119. STATE-AREA AGENCY SERVICE INNOVATION DEVELOPMENT PROJECTS.

(a) PROJECTS AUTHORIZED.—Section 307 (42 U.S.C. 3027) is amended—

(1) in subsection (a), as previously amended by this Act, by adding at the end the following new paragraph:

"(25) STATE OPTION FOR SERVICE INNOVATION DEVELOPMENT PROJECTS.—The plan shall state whether the State elects to operate a program under subsection (g), and if so shall provide the information required by subsection (g)(2).".

"(g) SERVICE INNOVATION DEVELOPMENT PROJECTS.—

"(1) PROJECTS AUTHORIZED.—A State agency may elect to implement a project or projects, in collaboration with one or more area agencies, to develop, test, and implement innovative, cost-effective methods of delivering to older individuals and their families services that may be provided with funds under this Act.

"(2) STATE PLAN REQUIREMENT.—The State plan shall specify—

"(A) the service innovations to be developed and tested;

"(B) the area agencies that will participate;

"(C) the period during which the project will be implemented;

"(D) the methodology to be used to evaluate the results of the demonstration;

"(E) the amount of funds to be used; and

"(F) such other information as the Assistant Secretary may require.

"(3) AVAILABILITY OF FUNDS.—

"(A) IN GENERAL.—The State agency may reserve, from the total amount appropriated for a fiscal year under subsections (a) and (b) of section 303 and allotted to the State under section 304, up to the greater of 4 percent of such total amount or

"(i) $300,000, in the case of each of the fifty States, the District of Columbia, and the Commonwealth of Puerto Rico; and

"(ii) $50,000, in the case of Guam, the United States Virgin Islands, American

Samoa, and the Commonwealth of the Northern Mariana Islands.

"(B) RESTRICTION.—Amounts available under this subsection shall be used only for costs of delivering services, and may not be used for related administrative costs.".

SEC. 120. TRANSFER OF FUNDS BETWEEN PROGRAMS.

(a) STREAMLINING OF GENERAL RULES.—Section 308(b) (42 U.S.C. 3028(b)) is amended—

(1) in paragraph (4)—

(A) by striking "(A)" after "(4)"; and

(B) by striking subparagraph (B) (Assistant Secretary's discretion to permit State to transfer additional amounts between congregate and home-delivered meal programs); and

(2) in paragraph (5) (authority to transfer funds between nutrition and services programs), to read as follows:

"(5) Of the funds received by a State for a fiscal year from funds appropriated under subsections (a)(1), and (b)(1) and (2), of section 303, the State may elect to transfer not more than 20 percent between programs under part B and part C, for use as the State considers appropriate.

(b) WAIVER AUTHORITY.—For the Assistant Secretary's authority to waive limitations on amounts transferable between programs, see section 123 of this Act, adding a new section 314.

SEC. 121. AVAILABILITY OF DISASTER RELIEF FUNDS TO TRIBAL ORGANIZATIONS.

Section 310 (42 U.S.C. 3030) is amended—

(1) in subsection (a)(1)—

(A) by inserting "(or to any tribal organization receiving a grant under title VI)" after "any State"; and

(B) by inserting "(or used by such tribal organization)" before "for the delivery of supportive services";

(2) in subsection (a)(2), by inserting "and tribal organizations" after "States"; and

(3) in subsection (a)(3), by inserting "or tribal organization" after "State" each place it appears; and

(4) in subsections (b)(1) and (c), by inserting "and tribal organizations" after "States".

SEC. 122. NUTRITION SERVICES INCENTIVE PROGRAM.

(a) ADJUSTMENT OF ALLOTMENT FORMULA.—Section 311 (42 U.S.C. 3030a) is amended—

(1) in the caption, to read: "NUTRITION SERVICES INCENTIVE PROGRAM";

(2) by relocating and redesignating subsection (a)(4)(B) as subsection (b)(4);

(3) by striking the balance of subsection (a)(4);

(4) by redesignating subsections (a), (b), (c), and (d) as subsections (c), (d), (e), and (f), respectively;

(5) by inserting after the caption the following new subsections:

"(a) PURPOSE.—The purpose of the program under this section is to enable the Secretary of Agriculture to provide incentives to encourage and reward effective performance by States and tribal organizations in the efficient delivery of nutritious meals to older Americans.

"(b) NUTRITION SERVICES INCENTIVE PAYMENTS.—

"(1) IN GENERAL.—The Secretary shall allot any pay, to each State agency with a plan approved under this title for a fiscal year, and to each tribal organization with an application approved under title VI for such fiscal year, an amount bearing the same ratio to the total amount appropriated for such fiscal year under subsection (e) as the number of meals served in the State, under such plan approved for the preceding fiscal year (or the number of meals

served by the tribal organization, under such application approved for such preceding fiscal year), bears to the total number of such meals served in all States and by all tribal organizations under all such plans and applications approved for such preceding fiscal year.

"(2) CALCULATION OF ALLOTMENT FOR CERTAIN TRIBAL ORGANIZATIONS.—For purposes of paragraph (1), in the case of a tribal organization that has a plan approved under title VI for a fiscal year but that did not receive assistance under this section for the preceding fiscal year, the number of meals served by the tribal organization in the preceding fiscal year shall be deemed to equal the number of meals that the Assistant Secretary estimates will be served by the tribal organization in the current fiscal year."; and

(6) in subsection (e), as redesignated, to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For carrying out the purposes of this section (other than subsection (c)(1)), there are authorized to be appropriated $150,000,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years.".

(b) ELIMINATION OF MAINTENANCE OF EFFORT.—Section 339A is repealed.

SEC. 123. WAIVERS OF CERTAIN REQUIREMENTS FOR STATE PROGRAMS.

(a) GENERAL WAVIER AUTHORITY.—Part A of title III (42 U.S.C. 3021 et seq.) is amended by adding at the end the following new section:

"SEC. 315. WAIVERS.

"(a) IN GENERAL.—The Assistant Secretary may waive any of the provisions enumerated in subsection (b) with respect to a State, upon application by the State agency containing or accompanied by documentation sufficient to establish, to the satisfaction of the Assistant Secretary, that—

"(1) approval of the States legislature has been obtained or is not required;

"(2) the State agency has consulted with area agencies on aging with respect to the proposal for which waiver is sought;

"(3) such proposal has been made available for public review and comment within the State (and a summary of comments received shall be included with the application); and

"(4) the State agency has given adequate consideration to the probable positive and negative con-

sequences of approval of the waiver application, and the probable benefits for older individuals can reasonably be expected to outweigh any negative consequences, or particular circumstances in the States otherwise justify the waiver.

"(b) REQUIREMENTS SUBJECT TO WAVIER.—The provisions of this title that may be waived under this section are—

"(1) any provisions of section 305, 306, 307 requiring statewide uniformity of programs under this title, to the extent necessary to permit demonstrations, in limited areas of a State, of innovative approaches to assist older individuals;

"(2) any area plan requirement under section 306(a);

"(3) any State plan requirement under section 307(a);

"(4) any restriction, under section 308(b) (4) or (5), on the amount that may be transferred between programs under part B and part C, or between programs under subpart 1 and subpart 2 of part C; and

"(5) all or any part of the reduction in allotment required under section 309(c) with respect to a State which reduces expenditures under its State

plan (but only to the extent that the non-Federal share of expenditures is not reduced below any minimum specified in section 304(d) or any other provision of this title).

"(c) DURATION OF WAIVER.—The application by a State agency for a waiver under this section shall include a recommendation as to the duration of the waiver (not to exceed the duration of the State plan). The Assistant Secretary, in granting any waiver, shall specify the duration of the waiver, which may be the duration recommended by the State agency or such shorter time period as the Assistant Secretary finds appropriate.

"(d) REPORTS TO SECRETARY.—The State agency shall make to the Assistant Secretary, with respect to each waiver granted under this section, not later than one year after the expiration of such waiver, and at any times during the waiver period that the Assistant Secretary may require, concerning the impact of the waiver on the operation and effectiveness of programs and services under this title in the State.".

(b) CONFORMING AMENDMENTS.—

(1) Section 207(a) (42 U.S.C. 3018(a)) is amended—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) Section 307(b) (42 U.S.C. 3027(b)) is amended—

(A) by striking paragraph (2) (waiver of maintenance of effort for rural areas); and

(B) by striking "(1)" after "(b)".

SEC. 124. CONSOLIDATION AND REVISION OF AUTHORITIES FOR SUPPORTIVE SERVICES AND SENIOR CENTERS.

(a) ASSISTANCE IN OBTAINING HOUSING.—Section 321(a)(4) (42 U.S.C. 3030d(a)(4)) is amended by striking "or (D)" and all that follows and inserting "or (D) to assist older individuals to obtain housing assisted under programs of the Department of Housing and Urban Development;".

(b) COMMUNITY-BASED CARE AND SERVICES.—Section 321(a)(5) (42 U.S.C. 3030d(a)(5)) is amended by striking "including" and all that follows and inserting "including—

"(A) client assessment, case management, and development and coordination of community services;

"(B) in-home services for frail older individuals (including supportive services for vic-

tims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, and for the families of such individuals);

"(C) supportive activities to meet the special needs of caregivers, including caretakers who provide in-home services to frail older individuals;

"(D) in-home and other community services, including home health, homemaker, shopping, escort, reader, and letter writing services, to assist older individuals to live independently in a home environment;".

(c) EMPLOYMENT-RELATED PROGRAMS.—Section 321(a)(12) (42 U.S.C. 3030d(a)(12)) is amended by adding before the semicolon", including coordination with programs administered or assisted by the Department of Labor".

(d) GENERAL AUTHORITY.—Section 321(a)(22) (42 U.S.C. 3030d(a)(22)) is amended by inserting "necessary for the general welfare of older individuals" after "any other services".

(e) RELOCATION OF DEFINITIONS.—

(1) Section 342 (42 U.S.C. 3030i) (definition of "in-home services") is relocated and redesigned as

paragraph (46) of section 102 (42 U.S.C. 3002), and is amended by striking "For purposes of this part, the term" and inserting "The term".

(2) Section 363 (42 U.S.C. 3030o) (definition of "disease prevention and health promotion services") is relocated and redesignated as paragraph (47) of section 102, and is amended by striking "For purposes of this part, the term" and inserting "The term".

(f) REPEAL OF SUPERSEDED AUTHORITIES.—

(1) SUBSTANTIVE AUTHORITY.—Part (D) (In-Home Services for Frail Older Individuals), part E (Additional Assistance for Special Needs of Older Individuals), and part G (Supportive Activities for Caretakers Who Provide In-Home Services to Frail Order Individuals) (42 U.S.C. 3030h, et seq., 3030l, et seq., and 3030p, et seq., respectively) are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—(A) REPEALS; REDESIGNATION.—Section 303 (42 U.S.C. 3022) is amended by striking subsections (d), (e), and (g), and by redesignating subsections (f) and (h) as subsections (e) and (f), respectively.

(B) CONFORMING AMENDMENT.—Sections 202(a)(24) (42 U.S.C. 3012(a)(24)) and 304(b)(2)

(42 U.S.C. 3024(b)(2)) are each amended by striking "303(h)" and inserting "303(f)".

SEC. 125. CONSOLIDATION OF AUTHORITIES FOR NUTRITION SERVICES.

(a) SCHOOL-BASED MEALS AS CONGREGATE NUTRITION SERVICES.—

(1) Section 331 (42 U.S.C. 3030e) is amended by inserting "(a) IN GENERAL.—" after "331.".

(2) Section 338(a) (42 U.S.C. 3030g–11(a)) is relocated and redesignated as subsection (b) of section 331, and is amended, in the matter preceding paragraph (1), by striking all that precedes "projects" and inserting instead the following:

"(b) SCHOOL-BASED MEALS AND MULTIGENERATIONAL PROGRAMS.—The State may include, in programs under this section,".

(b) REPEAL OF SUPERSEDED AUTHORITY.—

(1) SUBSTANTIVE AUTHORITY.—Part C of title III (42 U.S.C. 3030e et seq.) is amended by striking subpart 3 and redesignating subpart 4 as subpart 3.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 303(b)(3) (42 U.S.C. 3023(b)(2)) is repealed.

SEC. 126. NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Part D of title III (42 U.S.C. 3030h et seq.) is amended to read as follows:

"PART D—NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM

"Subpart 1—State Grant Program

"SEC. 341. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Assistant Secretary shall carry out a program under this subpart for making grants to States under State plans approved under section 307 for multi-faceted systems of support for families and other informal providers of in-home and community care to older individuals.

"(b) COORDINATION WITH SERVICE PROVIDERS.—In carrying out the provisions of this supart, each area agency on aging shall coordinate with other community agencies and voluntary organizations providing the types of services for which funding is available under this subpart.

"(c) FAMILY CAREGIVER SUPPORT SERVICES.—The services provided in a State program under this subpart shall include—

"(1) provision of information to caregivers about available services;

"(2) assistance to caregivers in gaining access to such services;

"(3) individual counseling, organization of support groups, and provision of caregiver training to help families make decisions and solve problems relating to their caregiving roles;

"(4) respite care to enable families and other informal caregivers to be temporarily relieved from their caregiving responsibilities; and

"(5) provision of supplemental services, on a limited basis, to complement the care provided by families and other informal caregivers.

"(d) ELIGIBILITY.—In order for the caregiver or caregivers of an older individual to be eligible to receive services provided by a State program under this subpart, the State must—

"(1) determine that the older individual meets the condition specified in either subparagraph (A)(i) or (B) of section 102(28); and

"(2) give priority for services to older individuals and families with the greatest social and economic need, consistent with the requirements of section 305(a)(2)(E).

"(e) QUALITY STANDARDS AND ACCOUNTABILITY.—

"(1) The State shall have in place mechanisms designed to assure the quality of services provided with assistance under this subpart.

"(2) The State shall collect data and furnish records at the times and in the standardized format that the Assistant Secretary may require in order to enable the Assistant Secretary to monitor State program administration and compliance, and to evaluate and compare the effectiveness of State programs under this subpart.

"(3) The State shall report to the Assistant Secretary on the data and information required under section 341(e)(2), including the services and activities funded under this subpart, and standards and methods by which the quality of services shall be assured.

"(f) STATE OPTION FOR COST SHARING.—

"(1) IN GENERAL.—A State may elect to require cost sharing under this subpart for services described in paragraphs (4) and (5) of subsection (a) (or to require or permit area agencies on aging to require cost sharing by recipients of such services under area plans), but—

"(A) individuals with incomes below the Federal poverty line shall be exempt from cost-sharing requirements; and

"(B) cost-sharing rates for individuals with incomes above such threshold shall be set on a sliding-fee scale based on income.

"(2) ASSISTANT SECRETARY APPROVAL.—Fee scales imposed under this subsection are subject to approval by the Assistant Secretary.

"(3) REPORTING REQUIRED IF FEE SCHEDULE NOT USED.—A State electing not to require or permit fees pursuant to this subsection shall report to the Assistant Secretary on the alternative methods used by the State to satisfy the requirement of section 305(a)(2)(E) to give priority to individuals with greatest economic and social need.

"(g) AVAILABILITY OF FUNDS.—

"(1) IN GENERAL.—The program under this subpart shall be carried out with the balance of funds appropriated under section 303(d) remaining after reservation of funds under sections 345 and 346 for carrying out subpart 2.

"(2) USE OF FUNDS FOR ADMINISTRATION OF AREA PLANS.—Amounts made available to a State under this subpart may be used, in addition to

amounts available in accordance with section 303(c)(1), for costs of administration of area plans.

"(3) FEDERAL SHARE.—

"(A) Notwithstanding section 304(d)(1)(D), amounts made available to a State under this subpart shall be available to pay not more than 75 percent of the costs of services provided under this subpart.

"(B) Federal funds and cost sharing by recipients of services provided under this subpart cannot be used for the non-Federal share of funds under this subpart.

"SEC. 342. MAINTENANCE OF EFFORT.

"Funds made available under this subpart shall be in addition to, and may not be used to supplant, any funds that are or would otherwise be expended under any Federal, State, or local law by a State or unit of general purpose local government (including area agencies on aging) which have in their planning and service areas existing services equivalent to the services which may be funded under this subpart.

"Subpart 2—National Innovation Programs

"SEC. 345. INNOVATION GRANT PROGRAM.

"(a) IN GENERAL.—The Assistant Secretary shall carry out a program for making grants on a competitive

basis to foster the development and testing of new approaches to sustaining the efforts of families and other informal caregivers of older individuals, and to serving particular groups of caregivers of older individuals, including minority caregivers and distant caregivers.

"(b) EVALUATION AND DISSEMINATION OF RESULTS.—The Assistant Secretary shall provide for evaluation of the effectiveness of programs and activities funded with grants under this subpart, and for dissemination to States of descriptions and evaluations of such programs and activities, to enable States to incorporate successful approaches into their programs under this part.

"(c) AVAILABILITY OF FUNDS.—

"(1) IN GENERAL.—The Assistant Secretary shall reserve up to 10 percent of the amount appropriated under section 303(d) to carry out the program under this section.

"(2) NATIVE AMERICAN PROGRAMS.—20 percent of the amount reserved under paragraph (1) shall be available for programs and activities for Native Americans.

"SEC. 346. ACTIVITIES OF NATIONAL SIGNIFICANCE.

"(a) IN GENERAL.—The Assistant Secretary shall, directly or by grant or contract, carry out activities of national significance to promote quality and continuous im-

provement in the support provided to family and other informal caregivers of older individuals through program evaluation, training, technical assistance, and research.

"(b) AVAILABILITY OF FUNDS.—The Assistant Secretary shall reserve up to 2 percent of the amount appropriated under section 303(d) to carry out the program under this section.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 303 (as amended by section 124(d)(2) of this Act) is amended by adding after subsection (c) the following new subsection:

"(d) NATIONAL FAMILY CAREGIVER PROGRAM.—There are authorized to be appropriated $125,000,000 for fiscal year 2000, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out the programs under part D of this title (relating to the national family caregiver program).".

(c) ALLOTMENTS TO STATES.—Section 304(a)(1) is amended in the first sentence by inserting "remaining after reservations of funds in accordance with sections 345 and 346" after "from the sums appropriated under section 303 for each fiscal year".

(d) AVAILABILITY OF TITLE III–D FUNDS FOR REALLOTMENT.—Section 304(b) is amended in the first sen-

tence by striking "part B or C" and inserting "part B, C, or D".

SEC. 127. AUTHORIZATION OF APPROPRIATIONS.

(a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—Section 303(a)(1) (42 U.S.C. 3023(a)(1)) is amended by striking all that precedes "for the purposes" and inserting "There are authorized to be appropriated $310,082,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years,".

(b) CONGREGATE NUTRITION SERVICES.—Section 303(b)(1) is amended by striking all that precedes "for the purpose" and inserting "There are authorized to be appropriated $374,412,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years,".

(c) HOME-DELIVERED NUTRITION SERVICES.—Section 303(b)(2) (42 U.S.C. 3023(b)(2)) is amended by striking all that precedes "for the purpose" and inserting "There are authorized to be appropriated $147,000,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years,".

(d) PREVENTIVE HEALTH SERVICES.—Section 303(e) (as redesignated by section 124 of this Act) is amended by striking all that precedes "for the purpose" and inserting "There are authorized to be appropriated

$16,123, 000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years,".

PART C—STATE AND LOCAL INNOVATIONS AND PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 141. REVISION OF TITLE IV.

Title IV is amended—

(1) in the heading, to read as follows:

"TITLE IV—STATE AND LOCAL INNOVATIONS AND PROGRAMS OF NATIONAL SIGNIFICANCE";

(2) in section 401, to read as follows:

"SEC. 401. STATEMENT OF PURPOSE.

It is the purpose of this title to expand the Nation's knowledge and understanding of the older population and the aging process; to design, test, and promote utilization of innovative ideas and best practices in programs and services for older individuals; to help meet the needs for trained personnel in the field of aging; and to increase the awareness of citizens of all ages of the need to assume personal responsibility for their own longevity.";

(3) by striking parts A and B in their entirety and inserting the following new part:

"PART A—PROGRAMS AND ACTIVITIES AUTHORIZED

"SEC. 410. DISCRETIONARY PROJECTS AND PROGRAMS.

"In order to accomplish the purpose of this title, the Assistant Secretary may make grants to States, public or nonprofit private agencies, organizations, and institutions, and tribal organizations, and may enter into contracts with any agency, organization, institution, or individual for the following activities—

"(1) education and training to develop an adequately trained workforce to work with and on behalf of older individuals;

"(2) applied social research and analysis to improve access and delivery of services for older individuals, as well as evaluation of the performance and measurement of the results of programs, activities, and services provided under this Act;

"(3) developments of methods and practices to improve quality and effectiveness of such services;

"(4) demonstration of new approaches to design, deliver, and coordinate programs and services for older individuals;

"(5) technical assistance in planning, development, implementation, and improvement of services and activities conducted under this Act;

"(6) dissemination of information related to longevity and its ramifications for various segments of the elderly population, life course planning, and services and programs for older individuals that incorporates new ideas, utilizes advances in our knowledge, and stimulates the adoption of innovative best practices to benefit older individuals; and

"(7) other similar activities that, in the judgment of the Assistant Secretary, will achieve the purposes of this title.'";

(4) by redesignating part C as part B; and

(5) by redesignating sections 431, 432, and 433, respectively, (42 U.S.C. 3037, 3037a and 3037b, respectively) as sections 421, 422, and 423.

SEC. 142. AUTHORIZATION OF APPROPRIATIONS.

Section 421 (42 U.S.C. 3035) (as redesignated by section 141 of this Act) is amended—

(1) in subsection (a), to read as follows:

"(a) AUTHORIZATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this title $22,000,000 for fiscal year 2000 and such sums as may be necessary for each of the succeeding fiscal years.

"(2) NATIONAL OMBUDSMAN AND ELDER ABUSE CENTERS.—Funds available under this sub-

section may be used, to the extent the Assistant Secretary finds necessary.";

(2) by striking subsection (b); and

(3) in subsection (c), by striking "(c)" and inserting "(b) RESTRICTIONS.—".

PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

SEC. 151. PURPOSES OF PROJECTS.

Section 502(a) (42 U.S.C. 3056(a)) is amended—

(1) by inserting "(1)" after "SEC. 502. (a)"; and

(2) by inserting at the end the following new paragraph:

"(2) To foster individual economic self-sufficiency and to increase the number of persons who may enjoy the benefits of the program, the Secretary shall encourage projects to place participants in unsubsidized employment.".

SEC. 152. PROGRAM AUTHORIZED.

(a) PROJECT REQUIREMENTS.—Section 502(b)(1) (42 U.S.C. 3056(b)(1)) is amended—

(1) in subparagraph (H), by inserting in the parenthetical clause after "including" the following: "arrangements with the local one-stop delivery sys-

tem established under title I of the Workforce Investment Act of 1998 and'';

(2) in subparagraph (N)(i)—

(A) by striking all that follows ''will'' through ''except'' and inserting ''prepare an assessment of the participants' skills and talents and their needs for services, except''; and

(B) by striking ''the Job Training Partnership Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 3201 et seq.)'' and inserting ''the Workforce Investment Act of 1998, the Carl D. Perkins Vocational and Technical Education Act of 1998, or part A of title IV of the Social Security Act''; and

(3) by striking subparagraph (O) and inserting the following:

''(O) will provide appropriate services for participants through the local one-stop delivery system established under title I of the Workforce Investment Act of 1998, and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce investment

board in accordance with section 121(c) of such Act; and''.

(b) ASSESSMENTS.—Section 502(b) (42 U.S.C. 3056(b)) is further amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2)(A) An assessment and service strategy provided for an eligible individual under this title shall satisfy any conditions for an assessment or individual employment plan for an adult participant under title I of the Workforce Investment Act of 1998, in order to determine whether such individual qualifies for intensive training services in accordance with such Act.

''(B) An assessment and service strategy provided for an eligible individual under title I of the Workforce Investment Act of 1998 shall satisfy any conditions for an assessment and service strategy under this title.''; and

(3) in paragraph (4) (as so redesignated), by striking ''prime sponsors,''.

(c) COST LIMITATIONS.—Section 502(c)(3) (42 U.S.C. 3056(c)(3)) is amended by striking "for fiscal year 1987 and each fiscal year thereafter" and inserting "for any fiscal year".

(d) DISTRIBUTION OF PROGRAMS.—Section 502(d) (42 U.S.C. 3056(d)) is amended—

(1) in paragraph (1), by striking "sponsor" each place it appears and inserting "grantee"; and

(2) in the last sentence of paragraph (2), by striking all that follows "opportunity" and inserting "for public comments".

(e) MISCELLANEOUS.—Section 502(e) (42 U.S.C. 3056(e)) is amended—

(1) by amending paragraph (2)(C) to read as follows:

"(C) require the coordination of projects carried out under such agreements, with the programs carried out under title I of the Workforce Investment Act of 1998."; and

(2) by striking paragraphs (3) and (4).

(f) EVALUATION REQUIREMENT.—Section 502 (42 U.S.C. 3056) is further amended by inserting at the end the following new subsection:

"(f) The Secretary shall, on a regular basis, carry out evaluations of the programs authorized under this title,

which may include but are not limited to projects described in subsection (e).".

SEC. 153. ADMINISTRATION.

(a) COORDINATION.—Section 503 (42 U.S.C. 3056a) is amended—

(1) in subsections (a)(2) and (b)(1), by striking "titles III, IV, and VI" each place it appears and inserting "other titles of this Act";

(2) in subsection (b)(1)—

(A) by striking "Job Training Partnership Act" each place it appears and inserting "Workforce Investment Act of 1998"; and

(B) by striking "Vocational Education Act of 1984" each place it appears and inserting "the Carl D. Perkins Vocational and Technical Education Act of 1998, the National and Community Services Act of 1990, and the Domestic Volunteer Service Act of 1973,"; and

(3) by amending subsection (f) to read as follows:

"(f) MONITORING, FISCAL CONTROLS, AND REPORTS.—

"(1) MONITORING.—The Secretary shall monitor programs receiving financial assistance under this title to determine whether the grantees are com-

plying with the provisions of and regulations issued under this title.

"(2) FISCAL CONTROLS.—Each grantee receiving funds under this title shall comply with the applicable uniform cost principles and appropriate administrative requirements for grants and contracts that are applicable to the type of entity receiving funds, as issued in circulars or rules of the Office of Management and Budget.

"(3) REPORTS.—Each grantee shall maintain such records and submit such reports, in such form and containing such information, as the Secretary may require regarding activities carried out under this title, including the performance of programs. Each grantee receiving funds under this title shall keep records that are sufficient to permit the preparation of reports required pursuant to this title and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully.".

(b) INTERAGENCY COOPERATION.—Section 505 (42 U.S.C. 3056c) is amended—

(1) by striking subsection (c);

(2) by redesignating subsection (d) as subsection (c); and

(3) in paragraph (2) of such subsection (c) (as so redesignated), by striking "Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.)" and inserting "Carl D. Perkins Vocational and Technical Education Act of 1998".

SEC. 154. EQUITABLE DISTRIBUTION OF ASSISTANCE.

(a) DISTRIBUTION OF FUNDS.—Section 506 (42 U.S.C. 3056d) is amended by striking all that precedes subsection (b) and inserting the following:

"SEC. 506. EQUITABLE DISTRIBUTION OF ASSISTANCE.

"(a) FUNDS RESERVED OR ALLOTTED.—

"(1) From the sums available from appropriations to carry out this title for each fiscal year, 78 percent of the amount remaining after the Secretary makes the reservation under paragraph (3) shall be used in accordance with the provisions of the following subparagraphs:

"(A) The Secretary shall first reserve such sums as may be necessary for national grants or contracts with public agencies and public or nonprofit private organizations to maintain the level of activities carried on under such grants or contracts, in the aggregate, at least at the

level of such activities supported under this title in the preceding year.

"(B) The Secretary shall reserve such sums as may be necessary for national grants or contracts with public or nonprofit national Indian aging organizations with the ability to provide employment services to older Indians and with national public or nonprofit Pacific Island and Asian American aging organizations with the ability to provide employment to older Pacific Island and Asian Americans.

"(C) Preference in awarding grants or contracts under this paragraph shall be given to national organizations, and agencies, of proven ability in providing employment services to eligible individuals under this program and similar programs.

"(2) The Secretary, in awarding grants and contracts under paragraphs (1) and (4) of this subsection, shall, to the extent feasible, assure an equitable distribution of activities under such grants and contracts among the States, in accordance with the allotments among the States required by paragraph (5).

"(3) From the sums available from appropriations to carry out this title for each fiscal year, the Secretary shall reserve an amount, which shall be at least 1 percent but not more than 5 percent of the amount appropriated, for the purpose of—

"(A) entering into agreements under section 502(e), relating to improved transition to private employment; and

"(B) incentive grants for performance as described in section 514(d).

"(4) From the sums available from appropriations to carry out this title for each fiscal year, 22 percent of the amount remaining after the Secretary makes the reservation under paragraph (3) shall be allotted to the appropriate public agencies of the States for carrying out projects and activities authorized in this title.

"(5) In carrying out paragraphs (1) and (4), the Secretary shall allot the sums available from appropriations for any fiscal year under section 508 of this title so that each State will receive an amount which bears the same ratio to such sums as the product of the number of persons aged fifty-five or over in the State and the allotment percentage of

such State bears to the sum of the corresponding product for all States, except that—

"(A) no State (except as described in subparagraph (C)) shall be allotted less than one-half of 1 percent of the sum available from appropriations for the fiscal year for which the determination is made, or $100,000, whichever is greater;

"(B) no State shall be allotted less than 95 percent of its proportionate share of the total allotments received by all of the States under this section for the preceding fiscal year; and

"(C) Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands shall each be allotted an amount which is not less than one-fourth of 1 percent of the sums available from appropriations for the fiscal year for which the determination is made, or $50,000, whichever is greater.

"(6) For the purpose of this subsection—

"(A) the allotment percentage of each State shall be 100 percent less that percentage which bears the same ration to 50 percent as the per capita income of such State bears to the

per capita income of the United States, except that (i) the allotment percentage shall in no case be more than 75 percent or less than 33 percent, and (ii) the allotment percentage for the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be 75 percent;

"(B) the number of persons aged fifty-five or over in any State and in all States, and the per capita income in any State and in all States, shall be determined by the Secretary on the basis of the most satisfactory data available to the Secretary; and

"(C) for the purpose of determining the allotment percentage, the term "United States" means the fifty States and the District of Columbia.".

(b) STUDY AND REPORT.—Section 506 (42 U.S.C. 3056d) is further amended by inserting at the end the following new subsections:

"(e) After consulting with grantees under this title and other interested parties, the Secretary shall conduct a study concerning improvement in the formula described in this section for distributing funds for activities under

this title. In conducting the study, the Secretary shall examine means of improving the allocation of funds by developing a formula which is based on statistically reliable data and consistent with the goals and objectives of this title. The Secretary shall prepare and submit to the Congress a report containing the results of the study, including recommendations for improved formulas for allocating funds under this title. Such report shall be submitted to the Congress no later than 2 years after the enactment of the Older Americans Act Amendments of 1999.

"(f) The Secretary shall periodically conduct an evaluation of cost factors applicable under this title, including the average annual cost per authorized enrollee position.".

SEC. 155. AUTHORIZATION OF APPROPRIATIONS.

Section 508 (42 U.S.C. 3056f) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

"(1) such sums as may be necessary for fiscal year 2000, and each of the 4 succeeding fiscal years; and";

(2) in subsection (b), by striking "used" and inserting "available for obligation", and by striking the last sentence; and

(3) by inserting at the end of such section the following new subsection:

"(c) The Secretary may recapture any unexpended funds from a completed program year, and may re-obligate any such funds within the two succeeding program years for incentive grants under section 514(d), for technical assistance, or for grants or contracts for any other program purpose authorized by this title.".

SEC. 156. WORKFORCE INVESTMENT ACTIVITIES.

Section 510 (42 U.S.C. 3056h) is amended to read as follows:

"SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT ACTIVITIES.

"Eligible individuals under this title may be deemed by local workforce investment boards established under title I of the Workforce Investment Act of 1998 to satisfy the requirements for receiving services under such title that are applicable to adults.".

SEC. 157. ADDITIONAL PROVISIONS.

Title V (42 U.S.C. 3056 et seq.) is further amended by inserting at the end thereof the following new sections:

"SEC. 512. COORDINATION WITH THE WORKFORCE INVESTMENT ACT.

"(a) Grantees under this title shall be partners as described in section 121(b)(1)(B)(vi) of the Workforce Investment Act of 1998 in the appropriate local one-stop de-

livery system under section 134(c) of such Act, and shall carry out the responsibilities relating to such partners.

"(b) In local workforce investment areas where more than one grantee provides services, the grantees shall coordinate their activities related to the one-stop delivery system, and each grantee shall be a signatory of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998.

"SEC. 513. WAIVERS.

"(a) IN GENERAL.—Pursuant to a written request submitted by a grantee receiving funds under paragraph (1), (3), or (4) of section 506(a), the Secretary may waive any of the statutory or regulatory requirements of this title except the basic purposes of the program, wage and labor standards, worker rights, participation and protection of workers and participants, grievance procedures, judicial review, and eligibility of participants.

"(b) REQUEST.—Any grantee seeking a waiver under subsection (a) shall submit a request that describes the goals of the waiver and the expected improvements in the program if the request is approved.

"(c) DURATION.—The duration of each waiver approved under this section shall be limited to the duration of the grant agreement. Such waiver may be renewed pur-

suant to approval of a subsequent request that meets the requirements of this section.

"(d) REPORT.—With respect to each waiver approved under this section, each grantee shall submit a report to the Secretary concerning the impact of the waiver on the operation and effectiveness of programs and services under this title. Such reports shall be submitted not later than one year after the expiration of such waiver, and at such times during the waiver period as the Secretary may require.

"SEC. 514. PERFORMANCE.

"(a) MEASURES.—The Secretary shall establish, in consultation with grantees under this title, measures of performance that are appropriate to older worker activities authorized by this title. The measures shall consist of indicators of performance and levels of performance applicable to each indicator. The levels of performance shall be adjusted by taking into account such factors as economic conditions and the characteristics of participants.

"(b) REQUIRED INDICATORS.—Such measures shall include, at a minimum, the following indicators of performance:

"(1) the number of persons served;

"(2) community services provided;

"(3) entry into and retention in unsubsidized employment; and

"(4) satisfaction of customers, including participants and employers, with the services provided in activities under this title.

"(c) ADDITIONAL INDICATORS.—The measures established pursuant to subsection (a) may include such additional indicators of performance as the Secretary may determine to be appropriate to evaluate services and performance.

"(d) INCENTIVE GRANTS.—From funds available under section 506(a)(3) or section 508(c), the Secretary shall award incentive grants annually to grantees that exceed the performance measures established by the Secretary under this section.".

PART E—GRANTS FOR NATIVE AMERICANS

SEC. 161. LIMIT OF ONE GRANT PER NATIVE AMERICAN ORGANIZATION.

Section 612 (42 U.S.C. 3057c) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

"(c) ONE-GRANT LIMIT.—A federally recognized tribe represented by an organization specified in sub-

section (a) shall be eligible for only one grant under this title for any fiscal year.".

SEC. 162. EXPENDITURES FOR NUTRITION SERVICES.

Section 614(c) (42 U.S.C. 3057e(c)) is amended—

(1) by striking "(c)" and inserting the following:

"(c) APPROVAL BY ASSISTANT SECRETARY.—

"(1) IN GENERAL.—"; and

(2) by adding at the end the following new paragraph:

"(2) SPECIAL RULE FOR NUTRITION PROGRAMS.—In determining whether an application complies with the requirements of subsection (a)(8), the Assistant Secretary shall provide maximum flexibility to an applicant that seeks to take into account subsistence needs, local customs, and other characteristics that are appropriate to the unique cultural, regional, and geographic needs of the Indian populations to be served.".

SEC. 163. AUTHORIZATION OF APPROPRIATIONS.

Section 633(a) (42 U.S.C. 3057n(a)) is amended by striking all that precedes "to carry out this title" and inserting "There are authorized to be appropriated $18,457,000 for fiscal year 2000, and such sums as may be necessary for each of the four succeeding fiscal years".

PART F—VULNERABLE ELDER RIGHTS PROTECTION

SEC. 171. CONSOLIDATED AUTHORIZATION OF APPROPRIATIONS AND RELATED AMENDMENTS.

(a) CONSOLIDATED AUTHORIZATION.—Section 702 (42 U.S.C. 3058a) is amended by striking all that follows the heading and inserting the following:

"There are authorized to be appropriated to carry out this subtitle $12,181,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years.".

(b) MINIMUM FUNDING FOR OMBUDSMAN AND ELDER RIGHTS ACTIVITIES.—

(1) REPEAL OF MINIMUM ALLOTMENTS.—Section 703(a)(2) (42 U.S.C. 3058b(a)(2)) is amended—

(A) by striking subparagraph (C); and

(B) by redesignating subparagraph (D) as subparagraph (C).

(2) MAINTENANCE OF EFFORT REQUIREMENT.—Section 705(a) (42 U.S.C. 3058d(a)) is amended—

(A) by redesignating paragraph (8) as paragraph (9);

(B) by inserting after paragraph (7) the following new paragraph:

"(8) an assurance that total State expenditures in any fiscal year for the long-term care ombudsman program under section 712 shall not be less than total State expenditures for such programs under this Act in fiscal year 1999; and

(C) in paragraph (9), as redesignated, by striking "paragraphs (1) through (7)" and inserting "paragraphs (1) through (8).".

(c) OPTIONAL STATE IMPLEMENTATION OF TITLE VII PROGRAMS.—

(1) STATE ASSURANCES CONCERNING EXPENDITURES.—Section 705(a)(7)(A) (42 U.S.C. 3058(a)(7)(A)) is amended by striking "funds appropriated under section 702(d)" and inserting "any funds used by the State".

(2) OMBUDSMAN PROGRAM.—Section 712(a) (42 U.S.C. 3058g(a)) is amended by striking "In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(a), a State agency shall" and inserting "With funds allotted to a State under section 703, the State agency shall".

(3) ELDER ABUSE PREVENTION.—Section 721(a)(1) (42 U.S.C. 3058i(a)(1)) is amended by striking "In order to be eligible to receive an allot-

ment under section 703 from funds appropriated under section 702(b), a State agency shall'' and inserting ''With funds allotted to a State under section 703, the State agency shall''.

(4) ELDER RIGHTS AND LEGAL ASSISTANCE.—Section 731(a)(1) (42 U.S.C. 3058j(a)(1)) is amended by striking ''In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(c), a State agency shall'' and inserting ''With funds allotted to a State under section 703, the State agency of a State electing to implement a program under this chapter shall''.

(5) OUTREACH, COUNSELING, AND ASSISTANCE.—

(A) Section 741(b) (42 U.S.C. 3058k(b)) is amended by striking ''In order to be eligible to receive an allotment under section 703 from funds appropriated under section 702(d), a State agency shall'' and inserting ''With funds allotted to a State under section 703, consistent with section 705(a)(7), the State agency of a State electing to implement a program under this chapter shall''.

(B) Section 741(c) (42 U.S.C. 3058k(c)) is amended by striking "The State agency shall" and inserting "The State agency may".

(C) Section 741(e) (42 U.S.C. 3058k(e)) is amended by striking "MAINTENANCE OF EFFORT.—Any funds appropriated" and inserting "SUPPLEMENTATION REQUIREMENT.—Any funds used".

SEC. 172. LIFE COURSE PLANNING PROGRAM.

(a) REDESIGNATION AND EXPANSION OF OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM.—Chapter 5 of subtitle A of title VII (42 U.S.C. 3058k et seq.) is amended—

(1) in the heading, to read as follows:

"CHAPTER 5—LIFE COURSE PLANNING";

(2) in the heading of section 741 (42 U.S.C. 3058k), to read: "**STATE LIFE COURSE PLANNING PROGRAM**";

(3) in section 741(a) (42 U.S.C. 3058k)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

"(2) LIFE COURSE PLANNING.—The term 'life course planning' means the identification and implementation by an individual of appropriate measures to prepare for the financial, health, and social aspects of longevity and to ensure the protection of elder rights, and includes such planning with respect to—

"(A) economic security, including financial literacy and knowledge of pension and public benefits;

"(B) options for community participation and social activities, including access to employment, volunteer, education, and leisure opportunities;

"(C) housing options;

"(D) insurance benefits; and

"(E) consumer protection, including defenses against telemarketing scams and fraudulent investment offers.";

(4) in section 741(b) (42 U.S.C. 3058k(b)), in the matter preceding paragraph (1), by striking "establish—" and all that follows and inserting "establish a program to provide, to older individuals and to others preparing for retirement and old age, out-

reach, information, counseling, and assistance related to life course planning. The program shall—

"(A) at a minimum include—

"(i) a program to provide to older individuals outreach, counseling, and assistance related to obtaining insurance benefits; and

"(ii) a program to provide outreach, counseling, and assistance to older individuals who may be eligible for, but who are not receiving, public benefits;

"(B) provide additional life course planning services to the extent permitted by available funds;

"(C) establish a system of referral to appropriate service providers and agencies;

"(D) give priority to those in greatest social and economic need, with particular attention to low-income minorities;

"(E) ensure coordination with services and programs under title III and with other providers and agencies;

"(F) provide for adequate and trained staff (including volunteers) to carry out the program; and

"(G) ensure that staff and volunteers are not subject to conflicts of interest.".

(b) CONFORMING AMENDMENTS.—

(1) Section 741(a)(6) (42 U.S.C. 3058k(a)(6)), as redesignated, is amended by striking "subsection (b)(1)" and inserting "subsection (b)(1)(A)(i)".

(2) Section 741(a)(7) (42 U.S.C. 3058k(a)(7)), as redesignated, is amended by striking "subsection (b)(2)" and inserting "subsection (b)(1)(A)(ii)".

SEC. 173. DEMONSTRATION AUTHORITY EXTENDED TO LIFE COURSE PLANNING.

(a) SCOPE OF DEMONSTRATION.—Section 706(a) (42 U.S.C. 3058e(a)), is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting "; and"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) assistance with life course planning (as defined in section 741(a)(2)).".

(b) BENEFITS.—Section 706(b)(1) (42 U.S.C. 3058e(b)(1)) is amended by inserting before the semicolon ", and regarding other available benefits, assistance, or

services identified through life course planning described in paragraph (4) of subsection (a)".

PART G—DEFINITIONS

SEC. 181. DEFINITIONS.

(a) RELOCATION, REORDERING, AND REDESIGNATION OF DEFINITIONS.—

(1)(A) Paragraphs (1) and (2) of section 302 (42 U.S.C. 3022) are relocated and redesignated as paragraphs (48) and (49) of section 102 (42 U.S.C. 3).

(B) Paragraph (3) of section 302 (42 U.S.C. 3022) is repealed.

(2)(A) Section 102(5) (42 U.S.C. 3022(5)) is amended by inserting "(A)" after "(5)".

(B) Section 102(6) (42 U.S.C. 3022(6)) is amended—

(i) by striking "(A)" and "(B)" and inserting "(i)" and "(ii)"; and

(ii) by striking "(6)" and inserting "(B)".

(C) Section 102(7) (42 U.S.C. 3022(7)) is amended by striking "(7)" and inserting "(C)".

(3)(A) Section 102(8) (42 U.S.C. 3022(8)) is amended—

(i) by striking the subparagraph designations "(A)" through "(H)" and inserting clause designations "(i)" through "(vii)"; and

(ii) by inserting "(A)" after "(8)".

(B) Section 102(9) (42 U.S.C. 3022(9)) is amended—

(i) by striking the subparagraph designations "(A)" and "(B)" and inserting the clause designations "(i)" and "(ii)"; and

(ii) by striking "(9)" and inserting "(B)".

(b) ELIMINATION OF THE DEFUNCT TRUST TERRITORY OF THE PACIFIC ISLANDS (TTPI) FROM DEFINITION OF STATE.—

(1) ELIMINATION OF DEFINITION OF TTPI.—Section 103(12) (42 U.S.C. 3022(12)) is repealed.

(2) AMENDMENT OF DEFINITION OF STATES.—Section 102(3) (42 U.S.C. 3022(3)) is amended—

(A) by inserting "and" after "American Samoa"; and

(B) by striking "the Trust Territory of the Pacific Islands".

(3) AMENDMENT TO ALLOTMENT FORMULAS.—

(A) BASIC STATE GRANTS.—Section 304(a)(1) (42 U.S.C. 3024(a)(1)) is amended—

(i) in the first sentence—

(I) by striking "(B) Guam," and inserting "(B) Guam and";

(II) by striking ", and the Trust Territory of the Pacific Islands,"; and

(ii) in the last sentence, by striking "the Trust Territory of the Pacific Islands,".

(B) GRANTS FOR STATE PLAN ADMINISTRATION.—Section 308(b) (42 U.S.C. 3028(b)) is amended in paragraphs (1)(B) and (2)(B) by striking "the Trust Territory of the Pacific islands,".

(c) DEFINITION OF NATIVE AMERICAN.—Section 102 (42 U.S.C. 3022) is amended by adding at the end the following new paragraph:

"(45) The term 'Native American' includes an Indian (as defined in paragraph (5)) and a Native Hawaiian (as defined in section 625).".

PART H—EFFECTIVE DATE

SEC. 191. EFFECTIVE DATE.

Except as otherwise specifically provided, the amendments made by this title shall become effective October 1, 1999.

TITLE II—WHITE HOUSE CONFERENCE ON AGING

SEC. 201. WHITE HOUSE CONFERENCE AUTHORIZED.

(a) AUTHORITY TO CALL CONFERENCE.—Not later than December 31, 2005, the President shall convene the White House Conference on Aging in order to develop recommendations for additional research and action in the field of aging which will further the policy set forth in subsection (b).

(b) PLANNING AND DIRECTION.—The Conference shall be planned and conducted under the direction of the Secretary in cooperation with the Assistant Secretary for Aging and the heads of such other Federal departments and agencies as are appropriate. Such assistance may include the detail of personnel on a reimbursable or nonreimbursable basis as the head of the department or agency may decide.

(c) PURPOSE OF THE CONFERENCE.—The purpose of the Conference shall be—

(1) to increase the public awareness of the interdependence of generations and the essential contributions of older individuals to society for the well-being of all generations in light of population longevity;

(2) to identify the problems facing older individuals and the commonalities of the problems with problems of younger generations, some of which can be alleviated through policy and program interventions as well as effective life course planning;

(3) to examine the well-being of older individuals, including the impact the well-being of older individuals has on our longevous society;

(4) to develop such specific and comprehensive recommendations for executive and legislative action as may be appropriate for maintaining and improving the well-being of older Americans;

(5) to develop recommendations for the coordination of Federal policy with state and local needs and the implementation of such recommendations; and

(6) to review the status and multigenerational value of recommendations adopted at previous White House Conferences on Aging and incorporate developments which acknowledge advances in knowledge and technology.

(d) CONFERENCE PARTICIPANTS AND DELEGATES.—

(1) PARTICIPANTS.—In order to carry out the purposes of this section, the Conference shall bring together—

(A) representatives of Federal, State, local, and tribal governments;

(B) professional and lay people who are working in the field of aging; and

(C) representatives of the general public, particularly older individuals.

(2) SELECTION OF DELEGATES.—The delegates shall be selected without regard to political affiliation or past partisan activity and shall, to the best of the appointing authority's ability, be representative of the spectrum of thought in the field of aging. Delegates shall include individuals who are professionals, individuals who are nonprofessional, minority individuals, and individuals from low-income families. A majority of delegates shall be aged 55 or older.

SEC. 202. CONFERENCE ADMINISTRATION.

(a) ADMINISTRATION.—In administering this section, the Secretary shall—

(1) provide written notice to all members of the Policy Committee of each meeting, hearing, or working session of the Policy Committee not later than

48 hours before the occurrence of such meeting, hearing, or working session;

(2) request the cooperation and assistance of the heads of such other Federal departments and agencies as may be appropriate in the carrying out of this section;

(3) furnish all reasonable assistance, including financial assistance, to State agencies on aging and to area agencies on aging, and to other appropriate organizations (including organizations representing older Indians), to enable them to organize and conduct conferences and other activities in conjunction with the Conference (including activities in advance of the Conference, as part of the process of planning for the Conference, and activities subsequent to the Conference in connection with dissemination, discussion, and implementation of recommendations of the Conference);

(4) make available for public comment a proposed agenda, prepared by the Policy Committee, for the Conference which will reflect to the greatest extent possible the major issues facing older individuals consistent with the provisions of subsection (a);

(5) prepare and make available background materials for the use of delegates to the Conference which the Secretary deems necessary; and

(6) engage such additional personnel as may be necessary to carry out the provisions of this section without regard to provisions of title 5, United States Code, governing appointments in the competitive service and the Senior Executive Service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and pay rates for the General Schedule and the Senior Executive Service.

(b) DUTIES.—The Secretary shall, in carrying out the Secretary's responsibilities and functions under this section, and as part of the White House Conference on Aging, ensure that—

(1) the conferences under subsection (a)(3) shall—

(A) include a conference on older Native Americans to identify conditions that adversely affect older Native Americans, to propose solutions to ameliorate such conditions, and to provide for the exchange of information relating to the delivery of services to older Native Americans; and

(B) be so conducted as to ensure broad participation of older individuals;

(2) the agenda prepared under subsection (a)(4) for the Conference is published in the Federal Register not later than 30 days after such agenda is approved by the Policy Committee, and the Secretary may republish such agenda together with the recommendations of the Secretary regarding such agenda;

(3) the personnel engaged under subsection (a)(5) shall be fairly balanced in terms of points of views represented and shall be appointed without regard to political affiliation or previous partisan activities;

(4) the recommendations of the Conference are not inappropriately influenced by any appointing authority or by any special interest, but will instead be the result of the independent judgment of the Conference; and

(5) current and adequate statistical data, including decennial census data, and other information on the well-being of older individuals in the United States are readily available, in advance of the Conference, to the delegates of the Conference, together with such information as may be necessary to evalu-

ate Federal programs and policies relating to aging. In carrying out this paragraph, the Secretary is authorized to make grants to, and enter into cooperative agreements with, public agencies and nonprofit private organizations.

(c) GIFTS.—

(1) GIFT ACCEPTANCE AUTHORITY.—The Secretary may accept, on behalf of the United States, gifts (in cash or in kind, including voluntary and uncompensated services), which shall be available to carry out this title. Gifts of cash shall be available in addition to amounts appropriated to carry out this title.

(2) ETHICS GUIDELINES.—The Secretary shall establish written guidelines setting forth the criteria to be used in determining whether the acceptance of gifts or donations pursuant to this paragraph would reflect unfavorably upon the ability of the Department of Health and Human Services, the Administration on Aging, or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the integrity or the appearance of integrity of its programs or of any official involved in those programs.

(d) RECORDS.—The Secretary shall maintain records regarding—

(1) the sources, amounts, and uses of gifts accepted under subsection (c); and

(2) the identity of each person receiving assistance to carry out this title, and the amount of such assistance received by each such person.

SEC. 203. POLICY COMMITTEE; RELATED COMMITTEES.

(a) POLICY COMMITTEE.—

(1) ESTABLISHMENT.—There is established a Policy Committee comprised of 25 members to be selected, not later than 90 days after the enactment of the Older Americans Act of 1999, as follows:

(A) PRESIDENTIAL APPOINTEES.—13 members shall be selected by the President and shall include—

(i) 3 members who are officers or employees of the United States; and

(ii) 10 members with experience in the field of aging, who may include representatives of public aging agencies, institution-based organizations, and minority aging organizations, and shall include a member of the Federal Council on the Aging.

(B) HOUSE APPOINTEES.—2 members shall be selected by the Speaker of the House of Representatives, and 2 members by the Minority Leader of the House of Representatives, after consultation with the Committee on Education and the Workforce and the Committee on Ways and Means of the House of Representatives.

(C) SENATE APPOINTEES.—2 members shall be selected by the Majority Leader of the Senate, and 2 members by the Minority Leader of the Senate, after consultation with members of the Committee on Health, Education, Labor, and Pensions and the Special Committee on Aging of the Senate.

(D) JOINT APPOINTEES.—2 members shall be selected jointly by the Speaker of the House of Representatives and the Majority Leader of the Senate, and 2 members shall be selected jointly by the minority leaders of the House and Senate, and shall include representatives with experience in the field of aging, who may include representatives described in subsection (a)(1)(A)(ii).

(2) DUTIES OF THE POLICY COMMITTEE.—The Policy Committee shall initially meet at the call of the Secretary, but not later than 30 days after the last member is selected under subsection (a). Subsequent meetings of the Policy Committee shall be held at the call of the chairperson of the Policy Committee. Through meetings, hearings, and working sessions, the Policy Committee shall—

(A) make recommendations to the Secretary to facilitate the timely convening of the Conference;

(B) formulate and approve a proposed agenda for the Conference not later than 60 days after the first meeting of the Policy Committee;

(C) make recommendations for participants and delegates of the Conference;

(D) establish the number of delegates to be selected under section 301(d)(2); and

(E) formulate and approve the initial report of the Conference in accordance with section 304.

(3) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—

(A) QUORUM.—13 members shall constitute a quorum for the purpose of conducting the business of the Policy Committee, except that 17 members shall constitute a quorum for purposes of approving the agenda required by paragraph (2)(B) and the report required by paragraph (2)(E).

(B) VOTING.—The Policy Committee shall act by the vote of the majority of the members present.

(C) CHAIRPERSON.—The President shall select a chairperson from among the members of the Policy Committee. The chairperson may vote only to break a tie vote of the other members of the Policy Committee.

(b) OTHER COMMITTEES.—The Secretary may establish such other committees, including technical committees, as may be necessary to assist in the planning, conducting, and reviewing of the Conference.

(c) COMPOSITION OF COMMITTEES.—Each committee established under subsection (b) shall be composed of professionals and public members, and shall include individuals from low-income families, and individuals who are Native Americans. Appropriate efforts shall be made to include individuals who are members of minority

groups. A majority of the public members of each such committee shall be 55 years of age or older.

(d) COMPENSATION.—Appointed members of any such committee (other than any officers or employees of the Federal Government), while attending conferences or meetings of the committee or otherwise serving at the request of the Secretary, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, at the rate authorized under section 5708 of title 5, United States Code, for persons employed intermittently in Federal Government services.

SEC. 204. REPORT OF THE CONFERENCE.

(a) PROPOSED REPORT.—A proposed report of the Conference, which shall include a statement of comprehensive coherent national policy on aging together with recommendations for the implementation of the policy, shall be published and submitted to the chief executive officers of the States not later than 90 days following the date on which the Conference is adjourned. The findings and recommendations included in the published proposed report shall be immediately available to the public.

(b) RESPONSE TO PROPOSED REPORT.—The chief executive officers of the States, after reviewing and soliciting recommendations and comments on the report of the

Conference, shall submit to the Policy Committee, not later than 90 days after receiving the report, their views and findings on the recommendations of the Conference.

(c) REPORTS.—

(1) INITIAL REPORT.—The Policy Committee shall, after reviewing the views and recommendations of the chief executive officers of the States, prepare and approve an initial report of the Conference, which shall include a compilation of the actions of the chief executive officers of the States and take into consideration the views and findings of such officers.

(2) PUBLICATION OF INITIAL REPORT; FINAL REPORT.—Not later than 60 days after such initial report is transmitted by the Policy Committee, the Secretary shall publish such initial report in the Federal Register. The Secretary shall republish a final report together with such additional views and recommendations as the Secretary considers to be appropriate.

(d) RECOMMENDATIONS OF THE POLICY COMMITTEE.—The Policy Committee shall, within 90 days after submission of the views of the chief executive officers of the States, publish and transmit to the President and to the Congress recommendations for the administrative

action and the legislation necessary to implement the recommendations contained within the report.

SEC. 205. DEFINITIONS.

For the purposes of this title—

(1) the term "area agency on aging" has the meaning given the term in section 102 of the Older Americans Act of 1965;

(2) the term "State agency on aging" means the State agency designated under section 305(a)(1) of the Act;

(3) the term "Secretary" means the Secretary of Health and Human Services;

(4) the term "Conference" means the White House Conference on Aging; and

(5) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for fiscal years 2001 through 2007 to carry out this title.

(b) AVAILABILITY OF FUNDS.—

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(1) IN GENERAL.—Funds appropriated to carry out this title and funds received as gifts under section 303(c) shall remain available until expended.

(2) UNOBLIGATED FUNDS.—Any funds described in paragraph (1) that are unobligated as of the date one year after the date the Conference adjourns shall be available to carry out the Older Americans Act of 1965.

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